



Attorney/Docket No. 31132.227
Customer No. 000027683

IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Eisermann

Serial No.: 10/776,754

Filed: February 11, 2004

For: Device for Fusing Two Bone Segments

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§ Group Art Unit: 3739
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§ Examiner: Unknown
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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 CFR §1.56, and in accordance with the practice under 37 CFR §1.97 and §1.98, the Examiner's attention is directed to the documents listed on the enclosed modified Form PTO-1449. No inference should be made that the cited references are in fact material, are in fact prior art, or that no better art exists. The cited patents are listed in numerical order and are not in any order based on their pertinence.

The above-identified application was filed after June 30, 2003. Therefore, pursuant to the waiver of the requirement under 37 CFR 1.98 (a)(2)(i) as stated in a Pre-OG Notice dated July 11, 2003, copies of only the foreign patent documents and non-patent literature listed on the enclosed modified Form PTO-1449 are attached.

In compliance with the duty of disclosure under 37 CFR §1.56, and in accordance with the practice under 37 C.F.R. §1.97 and §1.98, the Examiner's attention is directed to the documents listed on the enclosed Form PTO-1449. Copies of the listed information are also enclosed. The undersigned first became aware of the cited patents by their inclusion in the International Search Reports issued by the EP on PCT/US2004/004071 and PCTUS2004/004095, the PCT counterparts of the present application. Copies of the search reports are enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account 08-1394.

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

Respectfully submitted,

David M. O'Dell
Registration No. 42,044

Date: 8-18-04
HAYNES AND BOONE, LLP
901 Main Street, Suite 3100
Dallas, Texas 75202-3789
Telephone: 972-739-8635
Facsimile: 214-200-0853
File: 31132.227

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 8-19-04

Bonnie Boyle
Printed Name

Bonnie Boyle
Signature

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FOREIGN PATENT DOCUMENTS					
Examiner's Initials	Cite No.	Foreign Patent Document (Country Code – Number – Kind)	Publication Date MM-DD-YYYY	Patentee or Applicant of Cited Document	Translation Y/N
	B1	EP 0 317 972 A1	05/31/1989	Asahi Kogaku Kogyo Kabushiki Kaisha	Y
	B2	FR 2 742 653 A1	06/27/1997	Colorado Societe A Responsabilite Limitee	N
	B3	WO 01/01893 A1	01/11/2001	Spine Solutions, Inc.	Abstract – Y
	B4	WO 01/19295 A1	03/22/2001	Spine Solutions, Inc.	Abstract – Y
	B5	EP 1 222 900 A2	07/17/2002	Showa IKA Kohgyo Co., Ltd.	Y
	B6	EP 1 222 900 A3	01/29/2003	Showa IKA Kohgyo Co., Ltd.	Y

NON-PATENT LITERATURE DOCUMENTS		
Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item, date, page(s), volume-issue number(s), publisher, city/country where published

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.